I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 19, 2004.

Raymond A. Joao

OIPE JC102 MAR 22 2004 PATENT & TRADEMARK OFFICE

3624 #28 3/25/04

RJ251

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : RAYMOND A. JOAO

SERIAL NO. : 09/639,908

FILED : AUGUST 16, 2000

FOR : APPARATUS AND METHOD FOR PROVIDING FINANCIAL INFORMATION AND/OR INVESTMENT INFORMATION

EXAMINER : K. CAMPEN

GROUP : 3624

CONF. NO. : 3583

RECEIVED MAR 24 2004 GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is a Response To Office Action in response to the Office Action, mailed February 24, 2004, wherein the Examiner asserted that "The Amendment filed on November 13,

2003 is not fully responsive to the prior Office action" because of alleged "omission(s) or matter(s)". The Examiner indicated that "The Applicant's reply does not comply with 37 C.F.R. 1.111(b) because it does not include arguments pointing out specific distinctions believed to render claims 100-104 patentable over the applied references".

At the outset, Applicant is not aware of any Amendment filed on November 13, 2003 in the above-identified application and, therefore, Applicant believes that the Examiner's reference to any alleged Amendment filed on November 13, 2003 is in error. Applicant respectfully submits that an Amendment and Response to Office Action was filed in the above-identified application on August 8, 2003, which was responsive to the Office Action, mailed May 9, 2003. Applicant, on November 24, 2003, also filed a Re-Submission Of "Amendment to the Claims" Section Of Applicant's Amendment And Response To Office Action Filed On August 8, 2003.

Applicant respectfully submits that the Amendment and Response to Office Action, filed on August 8, 2003, included Applicant's arguments regarding each of Claims

100-104. In this regard, Applicant respectfully disagrees with the Examiner's assertion that Applicant's filings do not include "arguments pointing out specific distinctions believed to render claims 100-104 patentable over the applied references". To the contrary, Applicant respectfully submits that Applicant provided arguments supporting the patentability of each of Claims 100-104 in the Amendment and Response to Office Action, filed on August 8, 2003.

In particular, Applicant respectfully submits that Applicant addressed the patentability of Claim 100 on pages 80-83 of the Amendment and Response to Office Action, filed on August 8, 2003. Applicant respectfully submits that Applicant addressed the patentability of Claim 101 on pages 64-66 of the Amendment and Response to Office Action, filed on August 8, 2003. Applicant further respectfully submits that Applicant addressed the patentability of Claim 102 on pages 67-71 of the Amendment and Response to Office Action, filed on August 8, 2003. Applicant further respectfully submits that Applicant addressed the patentability of Claim 103 on pages 72-75 of the Amendment and Response to Office Action, filed on August 8, 2003. Lastly, Applicant respectfully submits that Applicant

addressed the patentability of Claim 104 on pages 76-80 of the Amendment and Response to Office Action, filed on August 8, 2003.

Applicant incorporates by reference herein and re-asserts the arguments supporting the patentability of each of Claims 100-104 which were provided in the Amendment and Response to Office Action, filed August 8, 2003, as if fully restated herein. For the Examiner's convenience, Applicant submits the following arguments regarding Claims 100-104 in order to reassert and to supplement the Applicant's previously submitted arguments supporting the patentability of each of Claims 100-104.

Applicant respectfully submits that the present invention as defined by Claims 100-104, is patentable over the prior art.

Regarding Claim 100, Applicant respectfully submits that the applied references, including the Ray reference, do not disclose or suggest an apparatus for providing financial information or investment information, comprising a receiver for receiving a notification message containing information regarding a change in at least one

factor and information regarding a correlation of the change in at least one factor with at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, wherein the notification message is transmitted from a central processing device over a communication network to the apparatus and is received by the receiver, wherein the central processing device automatically detects a change in at least one factor and determines a correlation of the change in at least one factor with the at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a

telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and further wherein the central processing device initiates a communication link with the apparatus, and further wherein the notification message is transmitted to the apparatus in real-time, a processor, wherein the processor processes the information contained in the notification message, and a display device for displaying information contained in the notification message, wherein the displayed information includes information regarding the change in at least one factor and information regarding the correlation of the change in at least one factor with the at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a

forward, a contract, and an account, wherein the apparatus is a wireless communication device, all of which features are specifically recited features of Claim 100.

In view of the foregoing, Applicant respectfully submits that Claim 100 is patentable over the prior art.

Regarding Claim 101, Applicant respectfully submits that the applied references, including the Ray reference, do not disclose or suggest an apparatus for providing financial information or investment information, comprising a receiver, wherein the receiver receives a request to provide a notification of a change in at least one factor and information regarding a correlation of the at least one factor with at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a

credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, a processor, wherein the processor automatically detects a change in at least one factor upon an occurrence of a change in the at least one factor, and further wherein the processor processes the request and generates a notification message containing information regarding the change in the at least one factor along with information regarding a correlation of the at least one factor with at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and a transmitter for transmitting the notification message over a communication network to a communication device associated with an individual, wherein the apparatus automatically initiates a communication link with the communication device, and

further wherein the transmitter transmits the notification message over the communication network to the communication device, and further wherein the notification message is transmitted to the communication device in real-time, wherein the communication device is a wireless communication device, all of which features are specifically recited features of Claim 101.

In view of the foregoing, Applicant respectfully submits that Claim 101 is patentable over the prior art.

Regarding Claim 102, Applicant respectfully submits that the applied references, including the Ray reference, do not disclose or suggest an apparatus for providing financial information or investment information, comprising a database, wherein the database stores information regarding at least one factor and information regarding at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a

telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, which is correlated with the at least one factor, wherein the at least one factor is at least one of a financial factor, a factor model, a factor ratio, a financial factor, a technical factor, a fundamental factor, an economic factor, a market factor, a utility factor, a commodity factor, an energy factor, a psychological factor, an environmental factor, a time factor, a timing factor, a news event, a stock, a bond, a security, a portfolio of securities, a financial market, a market index, a currency, a commodity, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, a receiver, wherein the receiver receives a request to provide a notification of a change in the at least one factor and information regarding the at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a

market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, which is correlated with the at least one factor, a processor, wherein the processor automatically detects a change in at least one factor upon an occurrence of a change in the at least one factor, and further wherein the processor processes the request using information stored in the database, wherein the processor generates a notification message containing information regarding the change in the at least one factor and information regarding at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth

product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, which is correlated with the at least one factor, wherein the notification message further contains at least one of historical information, statistical information, and forecasting information, and a transmitter for transmitting the notification message over a communication network to a communication device associated with an individual, wherein the apparatus automatically initiates a communication link with the communication device, and further wherein the transmitter transmits the notification message over the communication network to the communication device, and further wherein the notification message is transmitted to the communication device in real-time, wherein the notification message contains at least one of a text information, graphical information, a chart, a table, video information, an image, and audio information, and further wherein the communication device is at least one of a personal computer, a network computer, a hand-held computer, a palmtop computer, a laptop computer, a personal communication device, a personal digital assistant, a telephone, a digital telephone, a display telephone, a video telephone, a videophone, a 3G telephone, a cellular

telephone, a wireless telephone, a television, an interactive television, a beeper, a pager, and a watch, wherein the communication device is a wireless communication device, all of which features are specifically recited features of Claim 102.

In view of the foregoing, Applicant respectfully submits that Claim 102 is patentable over the prior art.

Regarding Claim 103, Applicant respectfully submits that the applied references, including the Ray reference, do not disclose or suggest an apparatus for providing financial information or investment information, comprising a receiver, wherein the receiver receives a request to provide a notification of a change in at least one factor and information regarding a correlation of a change in at least one factor with at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, an investor portfolio account, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a

utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, a processor, wherein the processor automatically detects a change in at least one factor upon an occurrence of a change in the at least one factor, and further wherein the processor determines a correlation of the change in at least one factor with at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, an investor portfolio account, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and further wherein the processor generates a notification

message containing information regarding at least one of the change in at least one factor and the correlation of the change in at least one factor with the at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, an investor portfolio account, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and a transmitter for transmitting the notification message over a communication network to a communication device associated with an individual, wherein the apparatus automatically initiates a communication link with the communication device, and further wherein the transmitter transmits the notification message over the communication network to the communication device, and further wherein the notification message is transmitted to the

communication device in real-time, wherein the communication device is a wireless communication device, all of which features are specifically recited features of Claim 103.

In view of the foregoing, Applicant respectfully submits that Claim 103 is patentable over the prior art.

Regarding Claim 104, Applicant respectfully submits that the applied references, including the Ray reference, do not disclose or suggest an apparatus for providing financial information or investment information, comprising a receiver, wherein the receiver receives a request to provide a notification of a change in at least one factor along with information regarding a correlation of ~~a~~ the change in at least one factor with at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, an investor portfolio account, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility

product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and an instruction to perform a transaction on behalf of an individual, a processor, wherein the processor automatically detects a change in at least one factor upon an occurrence of a change in the at least one factor, and further wherein the processor determines a correlation of the change in at least one factor with at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, an investor portfolio account, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and further wherein

the processor automatically performs a transaction on the at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, and an investor portfolio account, on behalf of the individual pursuant to the instruction, wherein the processor generates a notification message containing information regarding at least one of the change in at least one factor, the correlation of the change in at least one factor with at least one of a financial account, a brokerage account, a trading account, a commodity trading account, an investment account, an investor portfolio account, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a bandwidth service, a bandwidth product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account, and information regarding the transaction performed on the at least one of a financial account, a brokerage account, a trading

account, a commodity trading account, an investment account, and an investor portfolio account, on behalf of the individual, and a transmitter for transmitting the notification message over a communication network to a communication device associated with the individual, wherein the apparatus automatically initiates a communication link with the communication device, and further wherein the transmitter transmits the notification message over the communication network to the communication device, and further wherein the notification message is transmitted to the communication device in real-time, wherein the communication device is a wireless communication device, all of which features are specifically recited features of Claim 104.

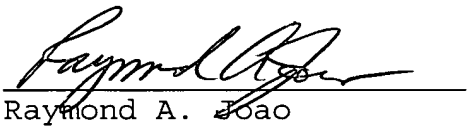
In view of the foregoing, Applicant respectfully submits that Claim 104 is patentable over the prior art.

In view of the foregoing comments provided in this Response to Office Action, Applicant respectfully submits that the above-referenced Amendment and Response to Office Action, filed August 8, 2003, and the Re-Submission Of "Amendment to the Claims" Section Of Applicant's Amendment And Response To Office Action Filed On August 8,

2003, filed November 24, 2003, are in compliance with 37 C.F.R. 1.111(b).

Entry of this Response to Office Action and withdrawal of the Examiner's objection to the Amendment and Response to Office Action, filed August 8, 2003, and the Re-Submission Of "Amendment to the Claims" Section Of Applicant's Amendment And Response To Office Action Filed On August 8, 2003, filed November 24, 2003, is respectfully requested.

Respectfully Submitted,



Raymond A. Joao
Reg. No. 35,907

Encl.: Return Receipt Postcard

March 19, 2004

Raymond A. Joao, Esq.
122 Bellevue Place
Yonkers, New York 10703
(914)969-2992